

REMARKS/ARGUMENTS

Claims 7-9 and 11-24 are currently pending in this application. Claims 1-6 and 10 were canceled by previous amendment without prejudice. No new matter is introduced herein.

Claims Rejections – 35 U.S.C. § 102(e)

Claims 7 and 15 stand rejected under 35 U.S.C. § 102(e) as anticipated by Vance et al. (U.S. Patent No. 6,992,699).

As shown in FIGs. 4, 5 and 6, Vance discloses a camera phone that includes a rotating mirror assembly. Vance FIG. 4 is reproduced and marked up below for the Examiner's convenience. As shown, the optical axis of the image sensor and axis of rotation of the rotating mirror assembly are perpendicular to one another. (Vance, col. 3, line 63 through col. 4, line 23 and FIGs. 4, 5 and 6).

Applicants' claim 7 recites "the reflecting member and the at least one optical member being rotatable about an optical axis of the image sensor." Because the axis of rotation of Vance's rotating mirror assembly and the optical axis of the image sensor do not coincide, Vance does not disclose this feature of Applicants' claim 7. Accordingly, claim 7 is patentable over Vance.

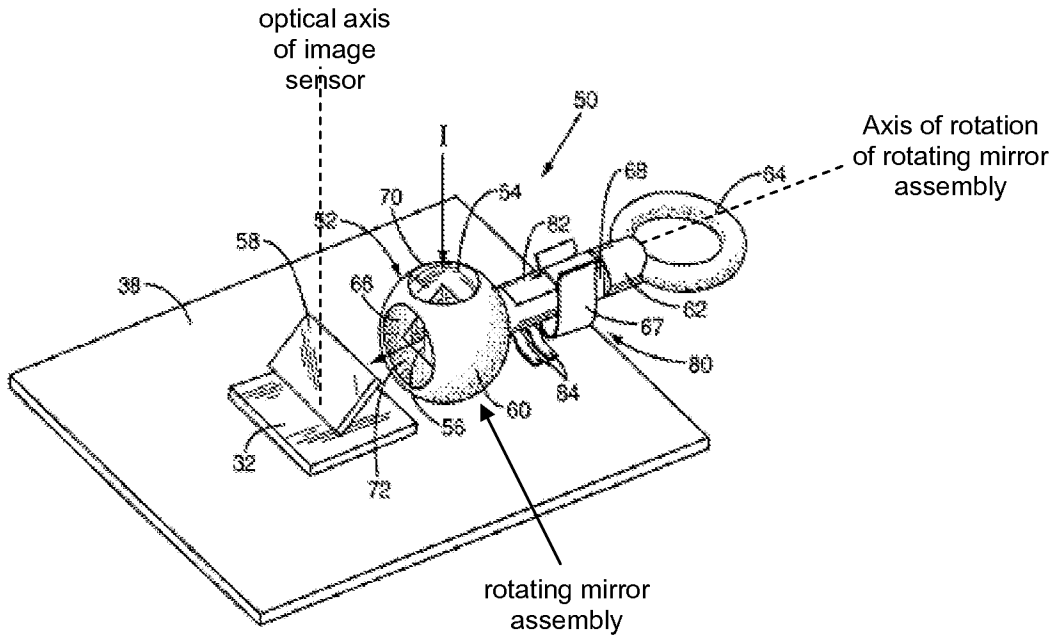


FIG. 4

Claim 15 includes features similar to claim 7 and is, therefore, also patentable over Vance for at least the same reasons as claim 7.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 102(e) rejection of claims 7 and 15

Claims Rejections – 35 U.S.C. § 103(a)

Claims 7-16 and 18-24 stand rejected under 35 U.S.C. § 103(a) as obvious over Sladen et al. (U.S. Pub. No. 2002/0061767) and Vance.

With respect to independent claims 7 and 15, Vance does not disclose a reflecting member and at least one optical member that are rotatable about an optical axis of the image sensor. Sladen discloses a camera with a pivotable mirror, but also fails to disclose a reflecting member and at least one optical member that are rotatable about an optical axis of the image sensor. (Sladen, paragraph [0027] and FIGs. 2 and 3). Accordingly, independent claims 7 and 15 are patentable over Vance, Sladen, and their combination.

Claims 8, 9, 11-14, 16 and 18-24 depend from patentable claims 7 and 15 and, therefore, are also patentable over Vance, Sladen, and their combination, for at least the same reasons as claims 7 and 15.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 7-16 and 18-24.

Claim 17 stands rejected under 35 U.S.C. § 103(a) as obvious over Sladen, Vance and Robb (U.S. Patent No. 6,177,950).

Claim 17 depends from patentable claim 15 and, therefore, is patentable over Sladen and Vance for at least the same reasons as claim 15.

Robb discloses a mobile device that includes a camera disposed on a rotatable printed circuit board. The printed circuit board is rotatable over 180 degrees to three positions. A lens is disposed at each of the three locations. (Robb col. 10, lines

Applicant: Durand et al.
Application No.: 10/583,486

33-51 and FIG. 6). While the camera is rotatable in Robb, the lenses are fixed and no rotatable mirror or reflecting member is disclosed. For at least this reason, Robb does not make up for the deficiencies of Sladen and Vance, as set forth above.

Accordingly, claim 17 is patentable over Sladen, Vance, Robb, and any combination thereof, and Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of this claim.

Applicant: Durand et al.
Application No.: 10/583,486

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephonic interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing, Applicants respectfully submit that the present application is in condition for allowance and request a notice to that effect.

Respectfully submitted,

Durand et al.

By: /Thomas A. Mattioli/
Thomas A. Mattioli
Registration No. 56,773

Volpe and Koenig, P.C.
United Plaza
30 South 17th Street
Philadelphia, PA 19103-4009
Telephone: (215) 568-6400
Facsimile: (215) 568-6499

DCK/TAM/dcb
Enclosure